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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/822,780	04/13/2004	Sidhaatha Biswas	31446-191298	3251
26694	7590	02/16/2006	EXAMINER	
VENABLE LLP P.O. BOX 34385 WASHINGTON, DC 20045-9998			PAHNG, JASON Y	
			ART UNIT	PAPER NUMBER
			3725	

DATE MAILED: 02/16/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

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<b>Office Action Summary</b>	<b>Application No.</b> 10/822,780	<b>Applicant(s)</b> BISWAS ET AL.	
	<b>Examiner</b> Jason Y. Pahng	<b>Art Unit</b> 3725	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 27 January 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-7 and 9 is/are pending in the application.  
4a) Of the above claim(s) 4 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3, 5-7 and 9 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 April 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)               | Paper No(s)/Mail Date. _____  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>7/28/2004</u> .   | 6) <input type="checkbox"/> Other: _____                                    |

## **DETAILED ACTION**

### ***Election/Restrictions***

Applicant's election without traverse of Species III, claims 1-3, 5-7, and 9, in the reply filed on January 27, 2006 is acknowledged.

### ***Drawings***

Figure 2 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 3, 6, and 9 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

With regard to claim 3, there is no antecedent basis for "the area required in a single entry configuration" in lines 2 and 3.

With regard to claim 9, there is no antecedent basis for "said inlet" in line 1.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-3, 5, and 9 are rejected under 35 U.S.C. 102(b) as being anticipated by Hardinge (US 2,909,330).

With regard to claim 1, Hardinge discloses a bowl mill including:

1. a substantially closed separator body (12) having a central axis (82);
2. a bowl-like grinding table (28) mounted on a shaft (26);
3. a plurality of cooperating grinding rolls (34); and
4. a multiple entry annular openings (78).

With regard to claim 2, Hardinger discloses a double entry annular openings (78, Figures 1 and 2).

With regard to claim 3, Hardinger discloses a cross sectional area of each opening of the two entry configuration which is half of the area required in a single entry configuration.

With regard to claim 5, Hardinger discloses an inlet (inherent; column 8, lines 5-12) which is bifurcated or branched (column 8, lines 5-12) for primary air to enter a first opening (one of the two openings 78) and a duct (inherent) leading to a second opening (one of the other of the two openings 78) where the two openings are set 180 degrees from one another.

With regard to claim 9, Hardinge discloses a bowl mill wherein air inlet is bifurcated or branched (column 8, lines 5-12) with a partition (inherent) for allowing half of a primary air to enter the air mill through first opening (one of the two openings 78; Figures 1 and 2) and the other half the primary air to enter a duct (inherent) to a second opening (one of the other of two openings 78; Figures 1 and 2) which is set 180 degrees from the first opening (Figure 1).

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 6, as well as can be understood, is rejected under 35 U.S.C. 103(a) as being unpatentable over Hardinge (US 2,909,330) in view of Brodt et al. (US 5,522,768). Hardinge discloses a second opening, but does not recite a blockage upstream of the second opening. In a closely related art pertinent to the problem of solving air turbulence, Brodt discloses an air flowing duct with a blockage or an air flow

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blocking curve in order to reduce air turbulence (abstract, lines 8-12). Therefore, it would have been obvious to one skilled in the art at the time the invention was made to provide Hardinge with a blockage upstream of the second opening in order to reduce air turbulence, as taught by Brodt.

Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hardinge (US 2,909,330) in view of Brundiek (US 4,084,754) or Dibowski et al. (US 4,705,223). Hardinge discloses a duct leading to a second opening, but does not recite a decreasing cross-section for the duct. In a closely related art, Brundiek discloses a bowl mill with a decreasing cross-section for a duct leading to a second opening in order to increase pressure. Also in a closely related art, Dibowski discloses a decreasing cross-section for a duct leading to an opening in order to increase pressure. Therefore, it would have been obvious to one skilled in the art at the time the invention was made to provide Hardinge with a decreasing cross-section for the duct in order to increase pressure, as taught by either Brundiek or Dibowski.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jason Y. Pahng whose telephone number is 571 272 4522. The examiner can normally be reached on 9:00 AM - 7:00 PM, Monday-Thursday.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Derris Banks can be reached on 571 272 4419. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JYP

A handwritten signature in black ink, appearing to read 'Derris H. Banks', with a large, stylized loop at the beginning and a horizontal line extending to the right.

**DERRIS H. BANKS**  
**SUPERVISORY PATENT EXAMINER**  
**TECHNOLOGY CENTER**